

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE, AS SUCCESSOR IN INTEREST TO
BANK OF AMERICA, N.A., AS TRUSTEE FOR
THE REGISTERED HOLDERS OF CREDIT
SUISSE FIRST BOSTON MORTGAGE
SECURITIES CORP., COMMERCIAL
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2007-C2, ACTING BY
AND THROUGH ITS SPECIAL SERVICER,
TORCHLIGHT LOAN SERVICES, LLC,

Plaintiff,

-against-

KEYBANK, NATIONAL ASSOCIATION, AS
SUCCESSOR BY MERGER TO KEYCORP
REAL ESTATE CAPITAL MARKETS, INC.
AND BERKADIA COMMERCIAL
MORTGAGE, LLC,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/5/2021

20 Civ. 3577 (AT)

ORDER


The Court has reviewed Defendants' letter at ECF No. 69 in connection with the parties' briefing on Plaintiff's motion to amend the first amended complaint. Defendants' requests are GRANTED in part, and DENIED in part. Accordingly,

1. The scheduling order on the motion to amend the first amended complaint at ECF No. 63 is VACATED;
2. By **March 10, 2021**, Plaintiff shall file its second amended complaint. In permitting Plaintiff to file a second amended complaint, the Court reserves any determination on the futility of the second amended complaint;
3. By **March 19, 2021**, Defendants shall file their motions to dismiss the second amended complaint, incorporating any arguments from their pending motions to dismiss;
4. By **April 2, 2021**, Plaintiff shall file its opposition papers; and
5. By **April 16, 2021**, Defendants shall file their reply papers, if any.

The Clerk of Court is directed to terminate the motions at ECF Nos. 35, 38, 64, and 65.

SO ORDERED.

Dated: March 5, 2021
New York, New York



ANALISA TORRES
United States District Judge